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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,323	03/05/2002	Manfred Schmitt	100564-00082	5188

6449 7590 01/20/2004

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EXAMINER

HELMS, LARRY RONALD

ART UNIT PAPER NUMBER

1642

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/926323

EXAMINER
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LH62003

ART UNIT	PAPER
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1642

20031124

DATE MAILED:

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**Commissioner for Patents**

1. The response filed 10/24/03 will be held in abeyance until this application is in sequence compliance. The response filed 10/24 added claims reciting SEQ ID NO: 5 and 6, however this application does not have these sequences in the sequence listing.

Therefore, this application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth above.


2. Any inquiry concerning this communication should be directed to Examiner Larry R. Helms, Ph.D., Art Unit 1642, whose telephone number is (703) 306-5879.

3. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

4. Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice to Comply.

5. **APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825.** Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

EXAMINER  
Larry R. Helms Ph.D.

  
**LARRY R. HELMS, PH.D.**  
**PRIMARY EXAMINER**